

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 4272

Bhavesh Mehta, et al.

Group Art Unit No.: 3622

Serial No.: 10/648,599

Examiner: Jeffrey D. Carlson

Filed on: August 25, 2003

For: SELECTING AMONG ADVERTISEMENTS COMPETING FOR A SLOT
ASSOCIATED WITH ELECTRONIC CONTENT DELIVERED OVER A
NETWORK

Via EFS-Web
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

This is in response to the Examiner's Answer mailed on July 27, 2010. The period for reply runs until September 27, 2010.

REMARKS

It is respectfully noted that the Examiner's Answer (including the "Response to Argument" section) is an almost exact copy of the Final Office Action. The Appeal Brief filed on May 13, 2010 addressed each of the arguments outlined in the Final Office Action. By merely copying the Final Office Action, the Examiner's Answer fails to respond to any of the arguments in the Appeal Brief. The arguments provided in the Appeal Brief are believed to be more than sufficient to address the arguments presented in the Final Office Action and to establish patentability of the pending claims over the *Carruther*'s reference. Thus, no further reply is believed necessary.

As noted in the Appeal Brief, the rejection of Claims 21-28 and 30-37 under 35 U.S.C. § 103(a) lacks the requisite factual and legal basis. Appellants respectfully submit that the rejection to Claims 21-28 and 30-37 under 35 U.S.C. § 103(a) are not viable and respectfully solicit the Honorable Board to reverse this rejection made under 35 U.S.C. § 103(a).

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

/Daniel D. Ledesma#57181/

Daniel D. Ledesma

Reg. No. 57,181

Date: September 21, 2010

2055 Gateway Place, Suite 550

San Jose, CA 95110-1083

Telephone: (408) 414-1080, ext. 229

Facsimile: (408) 414-1076